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technique. Of course, that is the danger always present when executive privilege is exercised, or when there is a denial of public information as a part of the public's business on the grounds of privilege.

Mr. Mollenhoff recognizes that, for example, the raw data of the FBI we would not expect to be publicized, for as we have stated many times in recent years in the Senate, the raw data of the FBI contain all sorts of rumors, accusations, and hearsay. It is recognized that much of the information is unreliable and comes from unreliable sources, yet it is material which the FBI must sift and must consider in connection with leads for its detection work.

We know there have been times when cases involving even the raw files of the FBI have led to such serious accusations in the Halls of Congress that arrangements have been made, under various Presidents, to have bipartisan subcommittees of committees go to the Department of Justice to check into such files and to report their conclusions to their committees later. I well remember that some years ago such a serious problem arose in connection with files in the State Department, and two members of the Committee on Foreign Relations were appointed to confer with the Secretary of State. They were allowed to see the supposedly top secret files that involved charges of injustice in connection with the State Department.

It will be recalled by the presiding officer that from time to time in recent years similar disputes have arisen as between committees of the Congress or Members of the Congress and the State Department over passports. The senior Senator from Oregon, in representing constituent claims on various occasions, has found himself in serious disagreement with the Department over the denial of passports and charges which were made that the particular constituent was being denied a passport on the grounds of security reasons. All the information the senior Senator from Oregon had about the constituent led him to believe that there was no basis in fact for a justifiable denial of a passport.

To the credit of the State Department, in several of those instances I was taken into the confidence of the State Department—and I ask Senators to mark my language—and was given the so-called secret information that was used as a justification for the denial of the passport. In a couple of instances, Mr. President, the information was completely inaccurate. Again I say, to the credit of the State Department, after the correct information was supplied passports were issued.

But those constituents had someone to fight for them. So I raised at that time, and I raise tonight, the question: What about other Americans denied passports who did not have a Senator to fight for them? Who did not take it up with a Senator? Who were beaten down by the State Department?

Those are the injustices which exist, Mr. President, and which are bound to arise when one substitutes

full public disclosure of the public's business.

One can only wonder how many American citizens have been subjected to great wrong by various agencies of the Government which have followed what amount to police state methods by an abusive exercise of discretion in the name of privilege, whose cases would have been differently handled if the elected representatives of the people in the Congress of the United States had known of the individual cases and had gone to bat for them, so to speak.

One might say, "After all, this is a part of our check and balance system. If a person believing he has been wronged does not make use of the congressional check, he has only himself to blame."

That is fine theory. But it has very little relationship to practicality. Very often wrongs are done to uninformed people, ignorant people, frightened people, and many people who by temperament tend to surrender quickly and easily.

We cannot justifiably put the burden upon the victim. The burden of the problem so ably discussed by Mr. Mollenhoff in the book rests on the executive branch of the Government whenever it abuses its power, and rests upon the legislative branch of the Government when it fails to take the necessary steps to check the abuse. The burden lies in those two places.

I believe it is good that Mr. Mollenhoff has given us factual information between the covers of this very readable and relatively short book of only 235 pages, including its appendices.

The purpose of my discussion of the book tonight is not only to recommend and commend the book and its author, but to raise the issue once more before the Congress of the United States. What does the Congress propose to do about it?

If reelected on November 6—and I fully expect to be, as evidenced by the fact that I am ready to go to vote tomorrow—I intend to do something about it in January, because the book has inspired me to make a study of this problem from the standpoint of legislative or constitutional amendment remedy.

Certain legislative remedies or checks could be imposed. If my research satisfies me that I am correct, I shall offer them early in January 1963. However, if that legal research leads to the conclusion that a constitutional amendment would be required, I shall propose a constitutional amendment. As government becomes more and more complex, it becomes more and more important that we put into the laws the procedural checks that will protect individuals, for our Government exists only for the purpose of promoting the general welfare of the people of our country. It does not exist to empower Presidents to exercise unwise discretion.

It does not exist for the purpose of subjecting American people, or any one of them, to procedural abuses that take on the coloring of police state techniques.

The Presiding Officer (Mr. BURDICK) very well the position of the sen-

Mr. MORSE. Mr. President, I wish to read two or three of them with brief comments.

On page 16 Mr. Mollenhoff says:

There is a sharp cruelty in secrecy that results in such injury to an individual, and there is great damage to our Government—and to people's faith in it—when secrecy is used to cover up mismanagement and corruption.

The author had just given a dramatic case of a woman in the Department of Health, Education, and Welfare who had been discharged but who was unable to find out the reasons for her discharge, unable to find out the sources of the allegations against her, unable to find out what claimed facts were presented which justified her discharge. Mr. Mollenhoff pointed out that this resulted in a cruel injustice to this woman.

As one reads the facts of the case, the exercise of the doctrine of privilege, the refusal to give the woman the facts, all take on the coloring of a police state

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